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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,472	07/03/2001	Laszlo Elteto	G&C 30074.30-US-11	3432
26694	7590	10/06/2005	EXAMINER	
VENABLE LLP			JACKSON, JENISE E	
P.O. BOX 34385			ART UNIT	
WASHINGTON, DC 20045-9998			PAPER NUMBER	

2131

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/899,472	Applicant(s) ELTETO ET AL.	
	Examiner Jenise E. Jackson	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10 and 12-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10, 12-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

*AT*

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-8, 10, 12-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Rallis et al(6,425,084).
3. As per claims 1, 4, Rallis et al. discloses an input device for securing a token from an unauthorized user(see col. 1, lines 46-52), a user interface for accepting entry of a personal identifier from a user(see col. 1, lines 61-65); the user interface being able to communicate with a host processing device and being different from a keyboard associated with the host processing device(see col. 6, lines 7-40) a processor, communicatively coupled to the user interface(see col. 2, lines 45-50); a token interface(see fig. 1A, sheet 1), including: a token interface emitter, for producing a signal having information including the personal identifier, the token interface emitter communicatively coupled to the processor and further communicatively coupled to a token sensor when the token is physically coupled with the token interface(see fig. 6A, sheet 11, col. 5, lines 44-48, 51-57); and a shield, substantially opaque to the signal, for substantially confining reception of the signal to the token sensor, Rallis et al. inherently discloses this, because Rallis discloses a user aligns the IR key device with the IR port, and transmits a message that includes the key device and serial number, and the encryption key(see col. 5, lines 51-57).

The Examiner asserts that when the signal is transmitted it contains a physical shield to insure no unauthorized interception of the signal that contains the user specific information(PIN, serial number, encryption key); and the signal produced by the token interface emitter being sent to and received by the token(see col. 6, lines 7-31).

4. As per claim 2, Rallis et al. discloses wherein the token interface emitter is communicatively decoupled from the token sensor when the token is not physically coupled with the token interface(see col. 3, lines 18-24).

5. As per claim 3, Rallis et al. discloses wherein the token interface includes a USB port(14)(see fig. 1A, sheet 1).

6. As per claim 5, Rallis discloses wherein the token interface further includes, a token interface sensor configured to received the signal produced by token emitter when the token is physically coupled with the token interface(see col. 5, lines 51-57).

7. As per claim 6, Rallis inherently discloses wherein the token emitter emits a second signal including information describing the intensity of the signal, because Rallis discloses an IR signal. The Examiner asserts that when a user has a sensor that is an IR signal, and then the signal transmits the intensity, because the sensor senses when the user is in a certain range(see col. 5, lines 51-57, col. 6, lines 7-10).

8. As per claim 8, similar limitations already addressed(see claim 1). Also, as per claim 8, Rallis discloses securing a token having a USB-compliant interface(14) from unauthorized use(see fig. 1A, sheet 1), accepting the token in an input device having a token interface(see fig. 1A, sheet 1); accepting a user-entered personal identifier in the input device(see col. 2, lines 62-

65); and transmitting the user-entered personal identifier to the token via a communication path distinct from the USB-compliant interface(see col. 5, lines 51-57).

9. As per claim 10, Rallis discloses the step of receiving the generated first signal in a token sensor(see col. 1, lines 60-62).

10. As per claim 12, Rallis discloses the method includes the step of determining if the token is accepted in the device; and the user-entered personal identifier is transmitted to the token via a communication path independent from the USB compliant interface only if the token is determined to be accepted by the input device(see col. 1, lines 61-64, col. 2, lines 59-65).

11. As per claim 13, Rallis inherently discloses the step of determining if the token is accepted in the input device includes the step of sensing a connect signal, because Rallis discloses an IR key device that must receive an IR pulse(i.e. connect signal)(see col. 6, lines 7-10).

12. As per claim 14, Rallis discloses the step of determining if the token has been accepted by the input device includes receiving a second signal produced by a token emitter when the token is accepted by the token interface, because Rallis discloses that an IR key device transmits a PIN to the notebook computer. The Examiner asserts that this signal is accepted if the PIN is correct(see col. 1, lines 61-64), col. 2, lines 59-65).

13. As per claim 15, Rallis discloses the step of determining if the token has been accepted by the input device includes receiving a second signal produced by a token emitter after the token sensor receives a third signal in the token interface, because if the user's pin is incorrect, the notebook shuts down(see col. 2, lines 3-10). The Examiner asserts that the third signal is the user's pin that is incorrect.

14. As per claims 7, 16, Rallis discloses receiving a second signal produced by a token emitter(see col. 1, lines 61-64, col. 2, lines 59-65), the second signal including information describing the intensity of the first signal; and controlling the intensity of the first signal; and controlling the intensity of the first signal according to the information describing the intensity of the first signal received from the second signal. Rallis inherently discloses the intensity of the signals, because The Examiner asserts that when a user has a sensor that is an IR signal, and then the signal transmits the intensity, because the sensor senses when the user is in a certain range(see col. 5, lines 51-57, col. 6, lines 7-10), and Rallis also discloses that messages are transmitted (see col. 5, lines 54-61, col. 6, lines 7-12).

15. As per claim 17, Rallis discloses disabling transmission of the user-entered personal identifier until detection of the acceptance of the token to the USB port(see col. 2, line 67, col. 3, lines 1-3, 18-24, fig. 1A, sheet 1).

#### ***Response to Amendment***

16. The Applicant states that Rallis does not disclose a user interface of the input device, which accepts entry of a personal identifier, as having no keypad for entering the personal identifier by the user. The Examiner disagrees with the Applicant. Rallis discloses that the user aligns the key device with the IR port and it transmits a command that contains the super key(see col. 6, lines 7-15). The access code requires the key device to verify receipt of a matching code number before it will output the serial number and encryption key data(see col. 6, lines 7-17). Thus, the identifying information is transmitted through a signal IR(see col. 6, lines 7-17).

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Further, since Rallis discloses an encryption key is transmitted this provides a physical shield, because only the authorized user would be able to decrypt the key(see col. 6, lines 7-17).

17. The Applicant states that the Rallis reference does not disclose an emitter producing a signal having the Pin entered by the user. The Examiner disagrees. Rallis discloses that the system can be used using an IR port(see col. 2, lines 45-52). Rallis discloses that messages are transmitted to and from the key device to computer and the pin is included in the message(see col. 2, lines 58-66).

18. The Applicant states that Rallis does not disclose a shield. The Examiner disagrees with the Applicant, because Rallis discloses an encryption key that must have a corresponding decryption key in order to validate (see col. 6, lines 63-68).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenise E Jackson whose telephone number is (571) 272-3791. The examiner can normally be reached on M-Th (6:00 a.m. - 3:30 p.m.) alternate Friday's.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



September 30, 2005



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